

REMARKS/ARGUMENTS

Re-examination and favorable reconsideration in light of the above amendments and the following comments are respectfully requested.

Claims 1 - 17 are pending in the application. Currently, claims 1, 2, 4, 6, 7, 10, 12, and 14 - 17 stand rejected and claims 3, 5, 8, 9, 11, and 13 stand objected to.

By the present amendment, minor amendments have been made to claims 8 - 10. None of these amendments are made for purposes of patentability. Rather, these amendments have been made to correct typographical and grammatical errors. Claim 14 has been amended to include the subject matter of claim 15 and thus claim 15 has been cancelled. Claim 16 has been amended to change its dependency.

In the office action mailed December 28, 2004, claims 1, 6, 7, 10 and 12 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,723,951 to McGraw; claim 2 was rejected under 35 U.S.C. 103(a) as being unpatentable over McGraw in view of U.S. Patent No. 6,615,099 to Mueller et al.; claim 4 was rejected under 35 U.S.C. 103(a) as being unpatentable over McGraw in view of Mueller et al. and further in view of U.S. Patent Publication No. 2003/00222984-A1 to Zhang; claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0142862 A1 to Snow et al. in view of U.S. Patent No. 5,577,130 to Wu; and claims 14 - 17 were rejected under 35 U.S.C. 103(a) as being unpatentable over McGraw in view of U.S. Patent No. 6,683,977 to Albrecht et al.

The foregoing rejections are traversed by the instant response.

With regard to the rejection of claims 1, 6, 7, 10, and 12 under 35 U.S.C. 102(e) as being unpatentable over McGraw, it is noted that the reference has a filing date of June 4, 2003. Attached hereto is a Declaration under 37 C.F.R. 1.131 swearing back of the reference. The Declaration includes a write-up of the invention in the instant application dated January 6, 2003. The Examiner is hereby requested to withdraw the rejection in light of the Declaration.

With regard to the rejection of claims 2, 4, and 14 - 17 on obviousness over McGraw in view of a number of secondary references, these rejections also fail because McGraw is no longer effective as a reference. The Examiner is also requested to withdraw these rejections in light of said Declaration.

The rejection of claim 14 over the combination of U.S. Patent Publication No. 2003/0142862 A1 to Snow et al. in view of U.S. Patent No. 5,577,130 to Wu is now moot in view of the addition of the subject matter of claim 15 to claim 14. The Examiner is hereby requested to withdraw this rejection.

For the foregoing reasons, the instant application is believed to be in condition for allowance. Such allowance is respectfully solicited.


Should the Examiner believe an additional amendment is needed to place the case in condition for allowance, he is hereby invited to contact Applicants' attorney at the telephone number listed below.

Appl. No. 10/674,997
Amdt. dated March 24, 2005
Reply to office action of Dec. 28, 2004

No fee is believed to be due as a result of this response.
Should the Director determine that a fee is due, he is hereby
authorized to charge said fee to Deposit Account No. 21-0279.

Respectfully submitted,

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I, Nicole Motzer, hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on March 24, 2005.

